

Jurors in King assassination still suspect a plot

Panelists in 1969 case air reasons for thinking that others worked with Ray in slaying rights leader

By Marc Perrusquia
SCRIPPS HOWARD NEWS SERVICE

After 28 years, they still have doubts.

"I'll always believe there was a conspiracy," said James Pate, one of 12 Memphis jurors who in 1969 accepted James Earl Ray's guilty plea for the assassination of Dr. Martin Luther King Jr.

"James Earl Ray could not have pulled this off himself. I just wish they could have a trial so everybody could know what happened."

Prosecutors say evidence of Ray's guilt is overwhelming. Still, speculation thrives about King's 1968 murder in Memphis, and not just conspiracy crackpots have kept it alive.

Reviewing King's murder in 1979, a congressional committee concluded Ray shot King but said there was a "likelihood" of a conspiracy.

That sentiment prevailed when reporters this month interviewed several members of the only legal panel to sit in judgment of Ray in court.

The 1969 Ray jurors agreed on one point: Ray is guilty of King's murder.

Yet four of the five who com-



ASSOCIATED PRESS / 1995

Dr. Martin Luther King Jr. was assassinated in Memphis in 1968.



ASSOCIATED PRESS / 1974

James Earl Ray pleaded guilty to King's murder in 1969.

mented expressed concerns that others may have escaped justice. Among the original 12 jurors, one declined comment, at least two are dead and four could not be located.

"I think somebody helped (Ray)," said Joe Stovall Jr., 67, a semi-retired carpet salesman. "He's too dumb. I just don't feel like this man could have gotten out

of the country as fast as he did."

Pate, 51, now the owner of a pest-control company, said a trial could help clarify concerns, but Stovall said he didn't think the government should spend money on a trial for Ray.

John Blackwell agreed with Stovall.

"I don't think he should get a trial. He had his trial," said Blackwell, 60, a retired air traffic controller who said he still wonders if Ray got help, but said he isn't overly troubled. "He had his opportunity."

It was a cold, crisp day in Memphis on March 10, 1969, when Ray, wearing an ill-fitting suit, lumbered into a courtroom in the old Criminal Courts building downtown to change his plea from innocent to guilty.

During a three-hour hearing, the state called five witnesses who told how King was murdered April 4, 1968. One by one, they told of the horror of King's shooting, and how the evidence pointed to Ray.

The Rev. Samuel Billy Kyles of Memphis and Chauncey Eskridge, King's lawyer, told how they watched as King, shot by a sniper, lay dying in a pool of blood on the balcony of the Lorraine Motel.

Shelby County Medical Examiner Jerry Francisco said King died when a bullet struck his spine. He said the angle of the bullet's path was consistent with having come from the second story of a rooming house across the street.

Police Inspector N.E. Zachary

said he found a rifle, a pair of binoculars and other items wrapped in a bedspread on the sidewalk in front of the rooming house on Main Street.

FBI agent Robert Jensen, in charge of the bureau's Memphis office, said police turned over the rifle and the evidence bundle to him hours after the murder. Then-prosecutor Jim Beasley, now a retired Criminal Court judge, narrating from the guilty plea in which Ray agreed to 56 detailed allegations in return for a 99-year sentence, brought the case together:

Three hours before King was shot, Ray, an escaped convict from a Missouri prison, rented a room across the street under an alias. About an hour later, he purchased binoculars on Main Street. Ray's prints were found on the rifle, the binoculars and other items.

Ray fled overseas after the murder. In signing his plea, Ray admitted to all of this, including firing the shot that killed King.

But it was Ray who stole the show.

Speaking out of turn, Ray rose to his feet to contest statements that there had been no conspiracy.

"Your honor, I would like to say something," Ray told Judge W. Preston Battle as observers took a collective breath.

Moments earlier, District Attorney General Phil Canale had announced to the court that "Dr. Martin Luther King Jr. was killed by James Earl Ray and James Earl Ray alone." Also, Ray's attorney,

Percy Foreman, said he was in agreement with U.S. Attorney General Ramsey Clark that there had been no conspiracy, triggering Ray's outburst.

"The only thing that I have to say," Ray told Battle, "is that I can't agree with Mr. Clark."

"You don't agree with whose theories?" Battle asked at one point. Ray, in his trademark ramble, attempted to explain.

"Mr. Canale's, Mr. Clark's and Mr. J. Edgar Hoover's about the conspiracy," Ray said.

The jury, empaneled under a practice of using juries to accept pleas for major crimes, was asked by a show of hands to accept Ray's plea. All 12 raised their hands.

But Battle's decision not to question Ray about a conspiracy puzzled some.

"Why hadn't Judge Battle seized this extraordinary opportunity to question Ray about conspiracy?" author Gerold Frank asked in his 1972 book, "An American Death: The True Story of the Assassination of Dr. Martin Lu-

ther King Jr. and the Greatest Manhunt of Our Time."

Frank answered his own question: Battle could not question Ray because then it would not be a free and voluntary plea of guilty. It could have been overturned on appeal.